

***UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE***

Karen Testerman, *pro se*

Lynn-Diane Briggs, *pro se*

Wayne Paul Saya, Sr., *pro se*

Plaintiffs

Vs

DAVID SCANLAN

SECRETARY OF STATE FOR NEW HAMPSHIRE, et al,

Defendants

Docket No. 1:23-cv-00499-JL-AJ

**PLAINTIFFS WAYNE PAUL SAYA, SR. AND LYNN-DIANE BRIGGS “MOTION TO
EXCUSE LATE FILING” UNDER FED.R.CIV.P. 7, and LR FRCP 6(d) and FRCrP 45(c),
AGAINST DEFENDANT SECRETARY OF STATE’S OBJECTION REGARDING
PLAINTIFFS MOTION TO ‘ALTER OR AMEND JUDGEMENT’.
(37 CFR § 42.23 - Oppositions, replies, and sur-replies.)**

Plaintiff, Wayne Paul Saya, Sr. “plaintiff Saya” *pro se* and Lynn-Diane Briggs, plaintiff Briggs” *pro se*, individually and combined as “Plaintiffs”, respectfully request for the court to Excuse the Late Filing of the ‘Sur-Reply’ to the Defendants Answer to the Plaintiffs ‘Motion to Alter or Amend Judgement.

Whereas, the above-named Plaintiffs have gone beyond the 5-day filing period for Defendant Secretary of State “Defendant SOS”, by 1-day, but are in compliance with the February 1st, 2024 filing of a February 6th, 2024 deadline for the ‘Objection’ filed by Defendant Chris Ager “Defendant Ager”.

Whereas, in the alternative, the above-named Plaintiffs respectfully request that the court excuse the Plaintiffs, *pro se*, one-day late Sur-Reply to Defendant SOS ‘Objection’ to the

Plaintiffs Motion to Alter or Amend Judgement under Fed.R.Civ.P. 59(e), as here attached within the Plaintiffs Sur-Reply.

Whereas, the Plaintiffs, *pro se*, simply needed more time to understand the Defendants Objection.

Prayer for Relief

The Plaintiffs motion to Excuse their 1-day late filing for the Defendant SOS Objection to Plaintiffs Sur-Reply has been made in good faith, and Plaintiffs have made every effort to comply with the court rules.

Therefore, Plaintiffs request that their motion is granted for the reasons as stated above, or for any reasons this court may deem fair and just.

SWORN TO UNDER PAINS AND PENALTIES OF PERJURY THIS 5TH DAY OF FEBRUARY, 2024.

Respectfully submitted,

/ Lynn-Diane Briggs

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Lynn-Diane Briggs, Plaintiff, *pro se*
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CERTIFICATE OF SERVICE

I, Wayne Paul Saya, Sr., Plaintiff, *pro se*, have caused to deliver the named PLAINTIFFS WAYNE PAUL SAYA, SR. AND LYNN-DIANE BRIGGS “MOTION TO EXCUSE LATE FILING” UNDER FED.R.CIV.P. 7, and LR FRCP 6(d) and FRCrP 45(c), AGAINST DEFENDANT SECRETARY OF STATE’S OBJECTION REGARDING PLAINTIFFS MOTION TO ‘ALTER OR AMEND JUDGEMENT’, and the foregoing documents have been served upon the following Defendants and Plaintiffs, electronically and/or certified mail with U.S. postage pre-paid:

David Scanlan, Defendant
Secretary of State of New Hampshire
C/O: Brendan Avery O'Donnell
NH Department of Justice (Concord)
One Granite Place South
Concord, NH 03301
603-271-3650
Fax: 603-271-2110
Email: brendan.a.odonnell@doj.nh.gov

Chris Ager, Defendant
Chairman
NH Republican State Committee
10 Water Street, Concord, NH 03301
By Counsel: Attorney Bryan Gould
Cleveland, Waters and Bass, P.A.
2 Capital Plaza, Concord, NH 03302-1137
(603) 224-7761
gouldb@cwbp.com

Karen Testerman, Plaintiff, *pro se*
9 Stone Avenue
Franklin, New Hampshire 03235
Karen@KarenTesterman.com

**SWORN TO UNDER PAINS AND PENALTIES OF PERJURY THIS 5TH DAY OF
FEBRUARY, 2024.**

Respectfully submitted,

/ Lynn-Diane Briggs

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